

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

JACOB SILVERMAN,

Plaintiff,

VS.

THE CITY AND COUNTY OF SAN  
FRANCISCO et. al.,

## Defendants.

Case No: C 11-1615 SBA

## **ORDER TO SHOW CAUSE RE DISMISSAL**

15 This Court previously scheduled a telephonic Case Management Conference for July  
16 10, 2013, and ordered Plaintiff to file a Joint Case Management Conference Statement no  
17 less than seven days in advance of the conference. Dkt. 124. Plaintiff failed to file the joint  
18 statement as ordered, and failed to set up the conference call for the Case Management  
19 Conference and contact the Court at the scheduled date and time. The failure to comply  
20 with a Court order is grounds for dismissal of this action under Federal Rule of Civil  
21 Procedure 41(b).<sup>1</sup> See Ferdick v. Bonzelet, 963 F.2d 1258, 1260 (9th Cir. 1992).  
22 Accordingly,

23 IT IS HEREBY ORDERED THAT Plaintiff shall show cause why the instant action  
24 should not be dismissed without prejudice under Rule 41(b) for failure to comply with a  
25 Court order. Within fourteen (14) days of the date this order is filed, Plaintiff shall file a

<sup>27</sup> <sup>1</sup> The Court notes that it has previously warned Plaintiff of the consequences of failing to comply with a Court order. In an order dated June 17, 2013, the Court expressly warned Plaintiff that "the failure to comply with . . . any order of this Court, may result in the imposition of sanctions, up to and including the dismissal of this lawsuit." Dkt. 125.

<sup>28</sup>

1 declaration with the Court explaining why this case should not be dismissed. Failure to  
2 comply with this order will be deemed sufficient grounds to dismiss the action without  
3 further notice.

4 IT IS SO ORDERED.

5 Dated: 7/11/13

  
6 SAUNDRA BROWN ARMSTRONG  
7 United States District Judge

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2 UNITED STATES DISTRICT COURT  
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4 NORTHERN DISTRICT OF CALIFORNIA

5 SILVERMAN et al,

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8 THE CITY AND COUNTY OF SAN  
9 FRANCISCO ET AL et al,

10 Defendant.

11  
12 Case Number: CV11-01615 SBA

13 **CERTIFICATE OF SERVICE**

14  
15 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District  
Court, Northern District of California.

16  
17 That on July 11, 2013, I SERVED a true and correct copy(ies) of the attached, by placing said  
18 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing  
said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle  
located in the Clerk's office.

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20  
21 Jacob Silverman  
22 c/o Brendan Hallinan  
23 345 Franklin Street  
24 San Francisco, CA 94102

25 Dated: July 11, 2013

Richard W. Wiking, Clerk

26 By: Lisa Clark, Deputy Clerk